

## Message Text

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ACTION NEA-10

INFO OCT-01 ISO-00 PM-04 NSC-05 SP-02 SS-15 L-03 EB-07

AGR-05 LAB-04 TRSE-00 COME-00 DOTE-00 CIAE-00 INR-07

NSAE-00 DODE-00 OMB-01 FAA-00 /064 W

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R 211020Z OCT 75

FM AMEMBASSY TEHRAN

TO SECSTATE WASHDC 3998

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E.O. 11652: NA

TAGS: USIRJC

SUBJ: JOINT COMMISSION: ADMINISTRATIVE SUPPORT ARRANGEMENTS

REF:(A) STATE 241899,(B) TEHRAN 10049

1. CHARGE MET WITH SENIOR DEPUTY MINISTER OF ECONOMIC AFFAIRS AND FINANCE MEHRAN MORNING OF OCTOBER 21 TO REVIEW US INTERPRETATION OF IRANIAN DRAFT ON JOINT COMMISSION ADMINISTRATIVE SUPPORT ARRANGEMENTS. ALSO PRESENT WERE DEPUTY MINISMAR VAFA AND MFA LEGAL ADVISOR DR. KAZEMI. MEHRAN SAID THAT OUR APPROACH IN COMING BETWEEN THE GOI AND INDIVIDUAL TECHNICAL EXPERTS THAT MAY BE SENT HERE UNDER AGENCY-TO-AGENCY AGREEMENTS SIMPLIFIES OR RESOLVES A NUMBER OF QUESTIONS WHICH WERE EMBEDDED IN THE GOI'S EARLIER CONCEPT OF THE NATURE OF THE RELATIONSHIP BETWEEN IT AND THE TECHNICIANS. ONE OF THESE PROBLEMS CONCERNED THE TAX LIABILITY OF THE TECHNICIANS, BUT AFTER CONSULTING

WITH THEIR LEGAL EXPERTS IT WAS DETERMINED(TENTATIVELY) THAT THE QUESTION DID NOT ARISE BECAUSE THE CONTRACT FOR SERVICES TO BE PROVIDED WAS WITH THE US AGENCY AND NO INCOME WAS GENERATED IN IRAN THEREBY. SIMILARLY, THE CONCEPT OF US AGENCY PAYING TECHNICIANS' SALARY AND ALLOWANCES ACCORDING TO STANDARDIZED REGULATIONS WAS LIMITED OFFICIAL USE

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ACCEPTABLE AND MINIMIZED THE POSSIBILITY OF UNEQUAL

TREATMENT BEING ACCORDED ONE GROUP OF TECHNICIANS VIS-  
VIS ANOTHER. MEHRAN SIAD HE ALSO THOUGHT THIS APPROACH  
WOULD OVERCOME PROBLEMS OF HOUSING, FURNITURE, AND  
UTILITIES WHICH SEEMED TO HAVE CONCERNED SOME ELEMENTS  
OF THE GOI. IN SUM, HE THOUGHT WE WERE VERY NEAR TO  
AGREEMENT OF GUIDELINES WHICH WOULD BE COMMON TO ALL  
AGENCY-TO-AGENCY TECHNICAL COOPERATION CONTRACTS.

2. DR. KAZEMI, REFERRING TO THE TECHNICAL COOPERATION  
AGREEMENT REACHED BETWEEN THE IRANIAN MINISTRY OF ROADS  
AND TRANSPORTATION AND THE US FEDERAL HIGHWAY ADMINIS-  
TRATION, NOTED THAT LANGUAGE CONCERNING TAXATION AND  
THE QUESTION OF PRIVILEGES AND IMMUNITIES MAY HAVE TO  
BE REVISED. ON THE LATTER POINT, KAZEMI NOTED THAT THE  
GOI WILL NOT BE IN A POSITION TO GRANT IMMUNITIES TO  
TECHNICAL COOPERATION EXPERTS SIMILAR TO THOSE ACCORDED  
TECHNICAL AND ADMINISTRATIVE STAFF OF THE EMBASSY. HE  
SAID HE DID NOT BELIEVE THIS WAS A PARTICULAR PROBLEM,  
HOWEVER, IN THAT THEY DO NOT HAVE NEED FOR SUCH  
IMMUNITIES AS MAY BE REQUIRED BY REGULAR MEMBERS OF THE  
EMBASSY. FURTHERMORE, PRESENT IRANIAN LAW DOES NOT  
PROVIDE FOR THE EXTENSION OF SUCH IMMUNITIES TO THIS  
CATEGORY OF PERSONNEL AND IF WE WERE TO INSIST ON THE  
NEED FOR THEM, NEW LEGISLATION WOULD HAVE TO BE INTRO-  
DUCED AND HE DOUBTS THAT THE GOVERNMENT WOULD BE WILLING  
TO DO SO OR THAT, EVEN IF IT DID, IT WOULD BE PASSED BY  
THE MAJLES. HE SAID FURTHER THAT SUCH PROBLEMS THAT MAY  
ARISE IN THIS AREA, SUCH AS AUTOMOBILE ACCIDENTS INVOLV-  
ING TECHNICIANS, COULD BE COVERED BY INSURANCE AND NOTED  
THAT THIS WAS THE APPROACH THAT HAS BEEN TAKEN IN THE  
MINISTRY OF ROADS-FHWA AGREEMENT.

3. MEHRAN SAID THAT THE TECHNICAL COOPERATION AGREEMENT  
SIGNED BY THE CO-CHAIRMEN OF THE JOINT COMMISSION IN  
WASHINGTON ON MARCH 4, 1975, HAS NOW BEEN APPROVED BY  
THE CABINET AND WILL BE SUBMITTED TO THE MAJLES FOR  
RETIFICATION WITHIN THE NEXT WEEK. HE EXPECTED THAT  
RETIFICATION SHOULD BE FORTHCOMING WITHIN SIX WEEKS  
FOLLOWING ITS SUBMISSION. HE NOTED THAT IN SUBMITTING  
THE MATTER TO THE MAJLES SPECIFIC MENTION WOULD BE MADE  
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OF THE PRIVILEGES PERSONNEL COMING TO IRAN UNDER THE  
AGREEMENT WOULD ENJOY WHICH WOULD BE IDENTICAL TO THOSE  
GRANTED ACCORDING TO AN IRANIAN LAW PASSED IN 1966  
(TEHRAN 6140).

4. MEHRAN CONCLUDED BY SAYING THAT HE WOULD OFFICIALLY  
RESPOND TO THE LETTER THE CHARGE HAD PRESENTED SHORTLY  
AND THAT HIS RESPONSE WOULD REFLECT THE CONVERSION

AND UNDERSTANDINGS JUST DISCUSSED. UPON RECEIPT WE  
SHALL FORWARD THE TEXT OF HIS RESPONSE TO THE DEPARTMENT  
FOR ITS FURTHER VIEWS AND COMMENTS. IN THE MEANTIME,  
IN VIEW OF THE GOI'S POSITION ON IMMUNITIES, WE WONDER  
WHETHER ANY USEFUL PURPOSE WOULD BE SERVED IN SUBMITTING  
A PROPOSAL COVERING THIS MATTER AS ENVISAGED IN PARA 6  
OF REFTEL(A).  
MIKLOS

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## Message Attributes

**Automatic Decaptioning:** X  
**Capture Date:** 01 JAN 1994  
**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
**Concepts:** AGREEMENT DRAFT, INTERGOVERNMENTAL COOPERATION, JOINT VENTURES  
**Control Number:** n/a  
**Copy:** SINGLE  
**Draft Date:** 21 OCT 1975  
**Decaption Date:** 01 JAN 1960  
**Decaption Note:**  
**Disposition Action:** RELEASED  
**Disposition Approved on Date:**  
**Disposition Authority:** MartinML  
**Disposition Case Number:** n/a  
**Disposition Comment:** 25 YEAR REVIEW  
**Disposition Date:** 28 MAY 2004  
**Disposition Event:**  
**Disposition History:** n/a  
**Disposition Reason:**  
**Disposition Remarks:**  
**Document Number:** 1975TEHRAN10312  
**Document Source:** CORE  
**Document Unique ID:** 00  
**Drafter:** n/a  
**Enclosure:** n/a  
**Executive Order:** N/A  
**Errors:** N/A  
**Film Number:** D750365-0080  
**From:** TEHRAN  
**Handling Restrictions:** n/a  
**Image Path:**  
**ISecure:** 1  
**Legacy Key:** link1975/newtext/t19751035/aaaabfkk.tel  
**Line Count:** 123  
**Locator:** TEXT ON-LINE, ON MICROFILM  
**Office:** ACTION NEA  
**Original Classification:** LIMITED OFFICIAL USE  
**Original Handling Restrictions:** n/a  
**Original Previous Classification:** n/a  
**Original Previous Handling Restrictions:** n/a  
**Page Count:** 3  
**Previous Channel Indicators:** n/a  
**Previous Classification:** LIMITED OFFICIAL USE  
**Previous Handling Restrictions:** n/a  
**Reference:** 75 STATE 241899, 75 TEHRAN 10049  
**Review Action:** RELEASED, APPROVED  
**Review Authority:** MartinML  
**Review Comment:** n/a  
**Review Content Flags:**  
**Review Date:** 06 AUG 2003  
**Review Event:**  
**Review Exemptions:** n/a  
**Review History:** RELEASED <06 AUG 2003 by MartinML>; APPROVED <26 NOV 2003 by MartinML>  
**Review Markings:**

Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
06 JUL 2006

**Review Media Identifier:**  
**Review Referrals:** n/a  
**Review Release Date:** n/a  
**Review Release Event:** n/a  
**Review Transfer Date:**  
**Review Withdrawn Fields:** n/a  
**Secure:** OPEN  
**Status:** NATIVE  
**Subject:** JOINT COMMISSION: ADMINISTRATIVE SUPPORT ARRANGEMENTS  
**TAGS:** EGEN, US, IR, USIRJC  
**To:** STATE  
**Type:** TE  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006